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Attorneys for DFS Services LLC
incorrectly named in the complaint as
Discover Card Services, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JAMES M. KINDER,

Plaintiff,

vs.

NATIONWIDE RECOVERY
SYSTEMS, LTD.,

Defendant.

Case No. 07-CV-2132-DMS(AJB)

**NOTICE OF NON-OPPOSITION
TO MOTION FOR
CONSOLIDATION OF ACTIONS**

Date: February 8, 2008
Time: 1:30 p.m.
Place: Courtroom 10

DFS Services LLC, incorrectly named as as Discover Card Services, Inc.
("Discover"), the defendant in Case No. 07 CV 2138 WQH (BLM), captioned
James M. Kinder v. Discover Card Services, Inc., hereby states that it does not
oppose to the Motion for Consolidation of Actions filed by Nationwide Recovery
Systems, Ltd., in the above captioned matter.

Dated: January 2, 2007

Bidna & Keys, APLC

By: _____

Harvey M. Moore
Attorneys for DFS Services LLC

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 5120 Campus Drive, Newport Beach, CA 92660.

On January 2, 2008, I served the foregoing document described as: **NOTICE OF NON-OPPOSITION TO MOTION FOR CONSOLIDATION OF ACTIONS** by placing ____ the original X a true copy thereof enclosed in sealed envelopes addressed as follows:

Chad Austin, Esq.
3129 India Street
San Diego, CA 92103
Tel: (619) 297-8888
Fax: (619) 295-1401
Counsel for Plaintiff

BY MAIL

☒ As follows: I am "readily familiar" with the firm's practice of practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Newport Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (VIA FACSIMILE) I caused the above-referenced document to be delivered via facsimile to the above-referenced facsimile numbers

☐ (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

☐ (VIA OVERNIGHT DELIVERY) As follows: I am "readily familiar" with the firm's practice of practice of collection and processing documents for overnight delivery.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on January 2, 2008, at Newport Beach, California

/s/ Harvey M. Moore
Harvey M. Moore

PROOF OF SERVICE